IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 14422 of 2007(P)

PETITIONER:

ABDUL SALAM, S/O.KUNHAMMED,
KATTAYATTU PARAMBIL, KEDAVUR VILLAGE, EARPONA DESOM, KOZHIKODE, REPRESENTED BY HIS POWER OF ATTORNEY, SAINABA K.P., W/O.ABDUL SALAM, KATTAYATTU PARAMBIL, KEDAVUR VILLAGE, EARPONA DESOM, KOZHIKODE.

BY ADV. SMT.LATHA PRABHAKARAN
SRI.K.M.JAMALUDHEEN

RESPONDENTS:
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1. THE SECRETARY, THAMARASSERY CO-OP. RURAL HOUSING SOCIETY, THAMARASSERY.

2. THE SPECIAL SALE OFFICER-I, KERALA STATE CO-OPERATIVE HOUSING FEDERATION, KOZHIKODE-6.

BY ADV. SRI.P.V.KUNHIKRISHNAN FOR R1
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DTD. 11-2-04**
EXT.P2	**TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DTD. 19-1-05**
EXT.P3	**TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONER BY R2 DTD. 11-4-07**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 14422 OF 2007

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Dated this the 6th day of July, 2007

JUDGMENT

Petitioner availed a loan which he could not repay. Recovery steps have been taken which is challenged in this writ petition.

2. I heard learned counsel for the petitioner and the learned counsel for the Bank also.

3. Learned counsel for the petitioner submits that petitioner may be permitted to pay off the entire amounts in easy instalments.

The writ petition is disposed of permitting the petitioner to pay off the entire amount due with interest after giving credit to the amount already paid as per the interim order of this court in eight equal monthly instalments, the first of which shall be payable on or before 02/08/2007. Petitioner is to pay the succeeding instalments on or before the 2nd of every succeeding months. The bank will serve a statement on the petitioner showing the exact amount of instalments payable by the petitioner within two weeks from today. If the petitioner does not pay any of the instalments as aforesaid, it is open to the respondent bank to proceed against the petitioner in accordance with law. If the petitioner continues to pay the instalments, proceedings will not be enforced against him.

(K.M.JOSEPH, JUDGE)

sv.

(K.M.JOSEPH, JUDGE)

sv.